

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
IRON MOUNTAIN INCORPORATED;	)	
IRON MOUNTAIN INFORMATION	)	
MANAGEMENT, INC.; C. RICHARD	)	
REESE; JOHN F. KENNY, JR.; GARRY	)	
B. WATZKE; LARRY L. VARN; and	)	Civil Action
CHARLES G. MOORE,	)	No. 05 10890 RCL
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
THOMAS CARR,	)	
	)	
Defendants.	)	
_____	)	
	)	
IRON MOUNTAIN INFORMATION	)	
MANAGEMENT, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action
	)	No. 05 10999 RCL
SYSTRANS FREIGHT SYSTEMS, INC.,	)	
	)	
Defendant.	)	
_____	)	

**IRON MOUNTAIN INCORPORATED’S AND IRON MOUNTAIN INFORMATION  
MANAGEMENT, INC.’S MOTION FOR SUMMARY JUDGMENT**

Pursuant to Fed. R. Civ. P. 56, Plaintiffs and Counterclaim-Defendants Iron Mountain Incorporated and Iron Mountain Information Management, Inc. (together, “Plaintiffs”), by their attorneys, Sullivan & Worcester LLP, hereby move for summary judgment against Defendant and Counterclaim-Plaintiff Thomas Carr (“Carr”). Plaintiffs submit that there are no disputed issues of material fact remaining in this case and they are entitled to judgment as a matter of law. Therefore, Plaintiffs respectfully request that the Court: (i) grant Plaintiffs’ motion for summary

judgment in its entirety; (ii) enter a declaration that none of the Plaintiffs has any contractual or other legal obligation to Carr; and (iii) dismiss Carr's counterclaim for breach of contract against Plaintiffs.

In support of their motion, Plaintiffs submit herewith and incorporate herein by reference Plaintiffs' Statement of Undisputed Material Facts Pursuant to Local Rule 56.1, the Declaration of Ira K. Gross (with exhibits) and Plaintiffs' Memorandum of Law in Support of their Motion for Summary Judgment.

**REQUEST FOR ORAL ARGUMENT**

Plaintiffs request oral argument.

Dated: June 21, 2007

Respectfully submitted,

IRON MOUNTAIN INCORPORATED and  
IRON MOUNTAIN INFORMATION  
MANAGEMENT, INC.,

By their attorneys,

/s/ Ira K. Gross  
Ira K. Gross (BBO# 212720)  
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**Certification Pursuant to Local Rule 7.1**

Counsel for Plaintiffs hereby certifies that he contacted counsel for Defendant and attempted in good faith to narrow or resolve the issues raised in this motion. Counsel for Defendant would not agree to the relief requested in this motion.

/s/ Kevin M. Colmey

**Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on June 21, 2007.

/s/ Kevin M. Colmey